

IN THE UNITED STATES
DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KARRIE KRAUSE)
Plaintiff,)
v.) Case No. 4:16-CV-00012
GC SERVICES, LP)
Defendant.)

**PLAINTIFF'S MOTION
TO ENFORCE SETTLEMENT AGAINST DEFENDANT**

Plaintiff hereby moves this Court to allow this Motion and, pursuant thereto, enter orders and judgments against Defendant. In support thereof, Plaintiff states:

1. Plaintiff filed an FDCPA lawsuit against Defendant.
2. Plaintiff and this Defendant agreed to settle this case for the amount set forth in confidential settlement documents which shall be shown at the hearing of this matter.
3. Plaintiff has done all that was required of her to comply with the terms of the settlement, including providing any and all documentation and a release in a timely manner.
4. This Defendant has now stated there will be no settlement unless Plaintiff's counsel is a party to the confidentiality agreement. **EXHIBIT 1.**

5. At no time during the previous settlement negotiations did Defendant state that resolution of the above captioned matter was contingent upon Plaintiff's counsel being party to the confidentiality provision of the settlement agreement. **EXHIBIT 2.**

6. This Court has the authority to summarily enforce settlements in cases pending before it. See *B-Mall Co. v. Williamson*, 977 S.W.2d 174 (Mo.App. 1998); see also *McKean v. St. Louis County*, 964 S.W.2d 470 (Mo.App. 1998). See also *Audubon Parking Assoc. v. Barclay and Stubbs, Inc.*, 626 A.2d 729, 733 (Conn. 1993). This includes summarily enforcing an oral settlement agreement. See *B-Mall Co.*, 977 S.W.2d at 77; see also *Byrd v. Liesman*, 825 S.W.2d 38, 39 (Mo.App. 1992).

7. Plaintiff is entitled to orders and judgments enforcing his settlement against this Defendant.

WHEREFORE Plaintiff prays this Court to enter its Order and Judgment against Defendant for the amounts stated in Confidential Settlement documents and for all other relief this Court deems just and proper.

THE EASON LAW FIRM, LLC

s/ James W. Eason

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CERTIFICATION

The undersigned hereby certifies that on this 29th day of March 2016, the above and foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification to all counsel of record through the CM/ECF system.

s/ James W. Eason
